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Clement Chan

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

CLEMENT CHAN,
Defendant.

CR 06-0113 PJH

**STIPULATION AND ~~PROPOSED~~ ORDER
FOR CONTINUANCE OF STATUS
CONFERENCE**

The United States, through its counsel Susan Jerich, and defendant Clement Chan, through his counsel Garrick Lew, hereby agree and stipulate to continue the status conference in this case scheduled for Wednesday May 17, 2006, and continue the hearing to July 12, 2006 at 2:30 p.m., before this Court.

The parties agree that the following reasons exist for this resetting and continuance:

- (1) On April 14, 2006, counsel for defendant was on Easter vacation with his family in Whistler, British Columbia at which time Diane Hiura, counsel's wife, was struck with massive pulmonary edema resulting in cardiac arrest. Mrs. Hiura was taken to the emergency room at St. Paul Hospital in Vancouver, British Columbia and was placed on life support then moved to the intensive care unit where she received recovery services until April 25, 2006, when she was discharged from the hospital to return to the United States. Counsel's wife is presently scheduled for surgery at UCSF Medical Center on

June 22, 2006. Counsel was out of the office and unable to work on Mr. Chan's matter for most of the month of April.

- (2) Upon return to work counsel provided the government with a 160 gigabyte portable hard drive for computer data\image evidence from the government which should arrive soon.
- (3) Counsel has retained a forensic expert to review, inspect and assist counsel in analyzing the data\image evidence once it becomes available to the defense.
- (4) Counsel for defendant needs additional time to review the above described forensic evidence to prepare defendant's case.

The stipulation is based on the need of additional preparation time of the parties. The parties request pursuant to 18 U.S.C. § 3161 (h)(8)(B)(ii) that the court find good cause that additional time is necessary for adequate preparation for pretrial proceedings and trial.

SO STIPULATED.

Dated: May 16, 2006

/s/
GARRICK LEW
Counsel for Clement Chan

Dated: May 16, 2006

/s/
SUSAN R. JERICH
Assistant United States Attorney

ORDER

Based on the stipulation of the parties and the facts set forth in the stipulation between the parties, and good cause appearing,

May 17

IT IS HEREBY ORDERED that the ~~July 12~~, 2006, status conference is vacated and continued to July 12, 2006, at 2:30 P.M. pursuant to 18 U.S.C. 18 U.S.C. § 3161 (h)(8)(B)(ii).

DATED: 5/17/06

